



08-25-04

IFW

PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/791,011	
	Filing Date	03/02/04	
	First Named Inventor	Meunier, et al.	
	Art Unit	2642	
	Examiner Name	TBA	
Total Number of Pages in This Submission		Attorney Docket Number	10886.00632

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO SB 08A with cited references attached, Transmittal, and Return Postcard				
<table border="1"><tr><td>Remarks</td><td>Being filed via Express Mail No.: EV306397305US</td></tr><tr><td colspan="2">The Commissioner is hereby authorized to charge any deficiencies in payment or credit any overpayment to our Deposit Account 19-0733.</td></tr></table>			Remarks	Being filed via Express Mail No.: EV306397305US	The Commissioner is hereby authorized to charge any deficiencies in payment or credit any overpayment to our Deposit Account 19-0733.	
Remarks	Being filed via Express Mail No.: EV306397305US					
The Commissioner is hereby authorized to charge any deficiencies in payment or credit any overpayment to our Deposit Account 19-0733.						

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	J. Pieter van Es (Reg. No. 37,746)
Signature	<i>J. Pieter van Es</i>
Date	August 24, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name			
Signature		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. 10886.00632)

Application of:)
Meunier, et al.) Examiner: TBA
Serial No.: 10/791,011)
Filed: March 2, 2004) Group Art Unit: 2642
For: Communications Headset with Isolating)
In-Ear Driver)

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. 1.97 and 1.98, the Applicant wishes to make the following references of record in the above-identified application. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. 1.56. Copies of the references cited below are enclosed. The references are also listed on the enclosed and completed PTO Form 1449.

REFERENCES

U.S. Patents

1. U.S. Patent No. 4,420,657, issued December 13, 1983;
2. U.S. Patent No. 4,720,857, issued January 19, 1988;
3. U.S. Patent No. 4,864,610, issued September 5, 1989;
4. U.S. Patent No. 5,467,784, issued November 21, 1995; and
5. U.S. Patent No. 5,755,234, issued May 26, 1998

Other References:

1. International Search Report for International Application No. PCT/US04/06394;
2. Printout of web page regarding Koss COMPLUG Hands-Free Noise Canceling Headset; www.buy.com (believed to have been available at least as early as February 2003)
3. Printout of web page regarding SonyStyle USA – DR-EX150UP, Overview (2/13/03)
4. Printout of web page regarding SonyStyle USA – DR-EX150UP, Specifications (2/13/03)
5. Printout of web page regarding, Jabra Corporation: Products; <http://jabra.com/products/mobile.htm> (2/13/03)

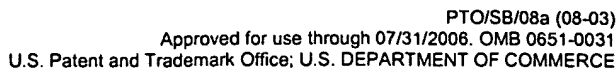
6. Printout of web page regarding Jabra The smart way to talk – Products for Mobile Phones; (some products believed to have been available at least as early as February 2003)
7. Printout of web page regarding Logitech – Products by Category – Mobile Headsets; <http://www.logitech.com> (2/13/03)
8. Printout of web page regarding Logitech Mobile Phone Headsets; (some products believed to have been available at least as early as February 2003)
9. Printout of web page regarding Plantronics – Browse Mobile Products; <http://plantronics.com> (2/13/03)
10. Printout of web page regarding Cirrus Healthcare Products; <http://www.earplanes.com> Cirrus Products, L.L.C. 1999-2001 (2/13/03)
11. Printout of web page regarding Cirrus Healthcare Products – EarPlanes, Children's Earplanes – FAQ; Cirrus Products, L.L.C. 1999-2001 (2/13/03)
12. Printout of web page regarding Cirrus Innovative Healthcare Convenience Products; Cirrus Products, L.L.C. 1999-2001
13. Printout of web page regarding Model T-1 Earborne Custom-Molded EarSet; www.earborne.com (believed to have been available at least as early as February 2003)
14. Printout of web page regarding the Boom – Whisper and be heard; sales@theboom.com (some products believed to have been available at least as early as February 2003)
15. Printout of web page regarding the Boom – Whisper and be heard; <http://www.theboom.com> (2/13/03)
16. Printout of web page regarding Belkin – Cellular/Personal Hands Free; (some products believed to have been available at least as early as February 2003)
17. Printout of web page regarding Welcome to Belkin – Personal Hands-Free Kits; <http://catalog.belkin.com> (2/13/03)

Respectfully submitted,

BANNER & WITCOFF, LTD

Dated: Aug 24, 2004

By: J Pieter van Es
J Pieter van Es
Reg. No. 37,746



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

(Use as many sheets as necessary)

Complete if Known

Application Number	10/791,011
Filing Date	03/02/04
First Named Inventor	Meunier, et al.
Art Unit	2642
Examiner Name	TBA
Attorney Docket Number	10886.00632

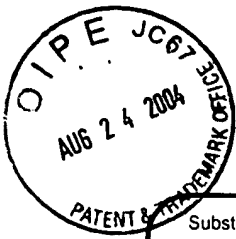
Sheet		of
-------	--	----

[illegible][illegible]Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PTO/SB/08b(08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/791,011
Filing Date	03/02/04
First Named Inventor	Meunier, et al.
Art Unit	2642
Examiner Name	TBA
Attorney Docket Number	10886.00632

Sheet

of

NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		International Search Report for International Application no. PCT/US04/06394	
		Printout of web page regarding Koss COMPULG Hands-Free Canceling Headset; www.buy.com	
		Printout of web page regarding SonyStyle USA – DR-EX150UP, Overview (2/13/03)	
		Printout of web page regarding SonyStyle USA – DR-EX150UP, Specifications (2/13/03)	
		Printout of web page regarding Jabra Corporation: Products; http://jabra.com/products/mobile.htm (2/13/03)	
		Printout of web page regarding Jabra The smart way to talk – Products for Mobile Phones; (some products believed to have been available at least as early as February 2003)	
		Printout of web page regarding Logitech – Products by Category – Mobile Headsets; http://www.logitech.com (2/13/03)	
		Printout of web page regarding Logitech Mobile Phone Headsets; (some products believed to have been available at least as early as February 2003)	
		Printout of web page regarding Plantronics – Browse Mobile Products; http://plantronics.com (2/13/03)	
		Printout of web page regarding Cirrus Healthcare Products; http://www.earplanes.com Cirrus Products, L.L.C. 1999-2001 (2/13/03)	
		Printout of web page regarding Cirrus Healthcare Products – EarPlanes, Children's Earplanes – FAQ; Cirrus Products, L.L.C. 1999-2001 (2/13/03)	

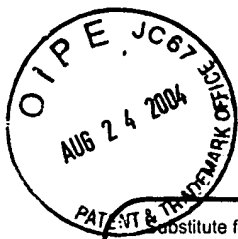
Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known			
		Application Number	10/791,011		
		Filing Date	03/02/04		
		First Named Inventor	Meunier, et al.		
		Art Unit	2642		
		Examiner Name	TBA		
Sheet		of		Attorney Docket Number	10886.00632

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Printout of web page regarding Cirrus Innovative Healthcare Convenience Products; Cirrus Products, L.L.C. 1999-2001	
		Printout of web page regarding Model T-1 Earborne Custom-Molded EarSet; www.earborne.com (believed to have been available at least as early as February 2003)	
		Printout of web page regarding the Boom – Whisper and be heard; sales@theboom.com (some products believed to have been available at least as early as February 2003)	
		Printout of web page regarding the Boom – Whisper and be heard; http://www.theboom.com (2/13/03)	
		Printout of web page regarding Belkin – Cellular/Personal Hands Free; (some products believed to have been available at least as early as February 2003)	
		Printout of web page regarding Welcome to Belkin – Personal Hands-Free Kits; http://catalog.belkin.com (2/13/03)	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

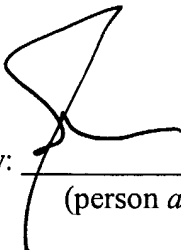


CERTIFICATE OF MAILING BY EXPRESS MAIL
(Attorney Docket No. 10886.00632)

Express Mail No EV306397305US

Deposited August 24, 2004

I hereby certify that the attached correspondence, identified below, is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" under 37 CFR § 1.10 on the date indicated above and is addressed to the Commissioner for Patents, PO Box 1450, Mail Stop Amendment, Alexandria, VA 22313-1450.

By: 
(person *actually* depositing)

In the Application of: Jeffrey A. Meunier

Serial Number: 10/791,011

Filing Date: March 2, 2004

Title: COMMUNICATIONS HEADSET WITH ISOLATING IN-EAR DRIVER

- ☒ Transmittal Form (In Duplicate)
- ☒ Information Disclosure Statement
- ☒ Form PTO/SB/08B w/copies of cited non-patent references
- ☒ Return Receipt Postcard

Attorney Docket No.: 10886.00632